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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ASSOCIATED PRESS, Plaintiff, - v.- UNITED STATES DEPARTMENT OF DEFENSE, Defendant.	**ECF CASE** 05 Civ. 5468 (JSR) **NOTICE OF MOTION**

PLEASE TAKE NOTICE THAT, upon the Declarations of Charles D. Stimson, Rear Admiral Harry B. Harris, Jr., Colonel David A. Smith, Dr. Stephen A. Cambone, and Karen L. Hecker, and the accompanying memorandum of law, the United States Department of Defense, by its attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, will move this Court before the Honorable Jed S. Rakoff, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, for an order granting partial summary judgment in favor of defendant with respect to withholdings in sample pre-Administrative Review Board transfer/release documents. The schedule for service and filing of the parties' motion papers is as follows: (1) defendant's motion is due August 22,

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2006; (2) plaintiff's opposition is due September 12, 2006; and (3) defendant's reply is due September 18, 2006. The Court has scheduled oral argument on this motion for September 26, 2006, at 11:30 a.m.

Dated: New York, New York
August 22, 2006

SARAH S. NORMAND
United States Attorney for the
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By: s/ Sarah S. Normand

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